

IC 9-13-2

Chapter 2. Definitions

IC 9-13-2-0.1

Application of certain amendments to chapter; definition of "school bus"

Sec. 0.1. Notwithstanding the amendments made to section 161 of this chapter by P.L.219-2003, the inclusion of "commercial motor vehicle" within the definition of "school bus" and the specification that a school bus may be used to transport preschool, elementary, or secondary school children, as provided by section 161 of this chapter, as amended by P.L.219-2003, does not apply before July 1, 2005.

As added by P.L.220-2011, SEC.209.

IC 9-13-2-1

"Abandoned vehicle"

Sec. 1. "Abandoned vehicle" means the following:

- (1) A vehicle located on public property illegally.
- (2) A vehicle left on public property without being moved for twenty-four (24) hours.
- (3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
- (4) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours.
- (5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.
- (6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.
- (7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days. For purposes of this subdivision, a vehicle covered by a tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible.
- (8) A vehicle:
 - (A) that was repaired or stored at the request of the owner;
 - (B) that has not been claimed by the owner; and
 - (C) for which the reasonable value of the charges associated with the repair or storage remain unpaid more than thirty (30) days after the date on which the repair work is completed or the vehicle is first stored.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-1997, SEC.1; P.L.54-2009, SEC.2; P.L.262-2013, SEC.2.

IC 9-13-2-1.1**"Act"**

Sec. 1.1. "Act", for purposes of IC 9-24-6.5, has the meaning set forth in IC 9-24-6.5-1.

As added by P.L.48-2004, SEC.1.

IC 9-13-2-1.2**"Accident response service fee"**

Sec. 1.2. "Accident response service fee", for purposes of IC 9-29-11.5, has the meaning set forth in IC 9-29-11.5-1.

As added by P.L.83-2008, SEC.1.

IC 9-13-2-1.3**"Adjusted or net capitalized cost"**

Sec. 1.3. "Adjusted or net capitalized cost", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-2.

As added by P.L.86-1996, SEC.1. Amended by P.L.92-2013, SEC.4.

IC 9-13-2-1.4**"Adapted vehicle"**

Sec. 1.4. "Adapted vehicle" means a new or used vehicle especially designed or modified for use by an individual who is disabled or aged.

As added by P.L.147-2009, SEC.1.

IC 9-13-2-1.5**"Administration"**

Sec. 1.5. "Administration", for purposes of IC 9-24-6.5, has the meaning set forth in IC 9-24-6.5-2.

As added by P.L.48-2004, SEC.2.

IC 9-13-2-1.6**"Advisory board"**

Sec. 1.6. "Advisory board", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-3.

As added by P.L.92-2013, SEC.5.

IC 9-13-2-1.7**"Aggressive driving"**

Sec. 1.7. "Aggressive driving", for purposes of IC 9-21-8-55, has the meaning set forth in IC 9-21-8-55(b).

As added by P.L.75-2006, SEC.1.

IC 9-13-2-2**"Air conditioning equipment"**

Sec. 2. "Air conditioning equipment" means mechanical vapor compression refrigeration equipment that is used to cool the driver's or passenger's compartment of a motor vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-2.2**"Alcohol"**

Sec. 2.2. "Alcohol", for purposes of IC 9-24-6, has the meaning set forth in IC 9-24-6-0.3.

As added by P.L.9-2010, SEC.4.

IC 9-13-2-2.3**"Alcoholic beverage"**

Sec. 2.3. "Alcoholic beverage", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-5.

As added by P.L.53-1994, SEC.3.

IC 9-13-2-2.4**"Alcohol concentration equivalent"**

Sec. 2.4. "Alcohol concentration equivalent" means the alcohol concentration in a person's blood or breath determined from a test of a sample of the person's blood or breath.

As added by P.L.1-2000, SEC.2.

IC 9-13-2-2.5**"Alley"**

Sec. 2.5. "Alley" means a public way in an urban district that meets the following qualifications:

- (1) Is open to the public for vehicular traffic.
- (2) Is publicly maintained.
- (3) Is one (1) lane wide.
- (4) Is designated as an alley by the local authorities on an official map of the urban district.

As added by P.L.92-1991, SEC.1.

IC 9-13-2-3**"Antique motor vehicle"**

Sec. 3. (a) Except as provided in subsection (b), "antique motor vehicle" means a motor vehicle that is at least twenty-five (25) years old.

(b) "Antique motor vehicle", for purposes of IC 9-19-11-1(6), means a passenger motor vehicle or truck that was manufactured without a safety belt as a part of the standard equipment installed by the manufacturer at each designated seating position, before the requirement of the installation of safety belts in the motor vehicle according to the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208).

As added by P.L.2-1991, SEC.1. Amended by P.L.146-2009, SEC.1; P.L.125-2012, SEC.4.

IC 9-13-2-4**"Approved driver education course"**

Sec. 4. "Approved driver education course" means a course offered by a high school or driver education school that the bureau periodically designates as approved, after taking into consideration

the standards and methods of instruction necessary to ensure adequate training for the operation of a motor vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.3.

IC 9-13-2-5

"Approved motorcycle driver education and training course"

Sec. 5. "Approved motorcycle driver education and training course" means:

- (1) a course offered by a public or private secondary school, a new motorcycle dealer, or another driver education school offering motorcycle driver training as developed and approved by the bureau; or
- (2) a course that is:
 - (A) offered by a commercial driving school or new motorcycle dealer; and
 - (B) approved by the bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.48-2004, SEC.3; P.L.145-2011, SEC.3; P.L.13-2013, SEC.32; P.L.85-2013, SEC.4.

IC 9-13-2-5.5

"Assembled vehicle"

Sec. 5.5. "Assembled vehicle", for purposes of IC 9-17-4, has the meaning set forth in IC 9-17-4-0.3.

As added by P.L.268-2003, SEC.1.

IC 9-13-2-6

"Authorized emergency vehicle"

Sec. 6. "Authorized emergency vehicle" means the following:

- (1) The following vehicles:
 - (A) Fire department vehicles.
 - (B) Police department vehicles.
 - (C) Ambulances.
 - (D) Emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8.
- (2) Vehicles designated as emergency vehicles by the Indiana department of transportation under IC 9-21-20-1.
- (3) Motor vehicles that, subject to IC 9-21-20-2, are approved by the Indiana emergency medical services commission that are:
 - (A) ambulances that are owned by persons, firms, limited liability companies, or corporations other than hospitals; or
 - (B) not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110).
- (4) Vehicles of the department of correction that, subject to IC 9-21-20-3, are:
 - (A) designated by the department of correction as emergency vehicles; and
 - (B) responding to an emergency.

As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.35; P.L.2-1993, SEC.64; P.L.8-1993, SEC.165.

IC 9-13-2-6.3**"Automated traffic law enforcement system"**

Sec. 6.3. "Automated traffic law enforcement system", for purposes of IC 9-21, has the meaning set forth in IC 9-21-3.5-2.

As added by P.L.47-2006, SEC.44.

IC 9-13-2-6.5**"Automated vehicle identifier"**

Sec. 6.5. "Automated vehicle identifier" means an electronic tracking device approved by the commissioner of the department of state revenue for use in connection with special weight permits for extra heavy duty highways under IC 9-20-5.

As added by P.L.129-2001, SEC.29.

IC 9-13-2-7**"Automobile auctioneer"**

Sec. 7. "Automobile auctioneer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-4.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.6.

IC 9-13-2-8**"Automobile scrapyard"**

Sec. 8. "Automobile scrapyard" means a business organized for the purpose of scrap metal processing, automobile wrecking, or operating a junkyard.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-8.5**"Automotive mobility dealer"**

Sec. 8.5. "Automotive mobility dealer" means a person that:

- (1) engages exclusively in the business of selling, offering to sell, or soliciting or advertising the sale of adapted vehicles;
- (2) possesses adapted vehicles exclusively for the purpose of resale, either on the automotive mobility dealer's own account or on behalf of another as the primary or incidental business of the automotive mobility dealer; or
- (3) engages in the business of:
 - (A) selling, installing, or servicing;
 - (B) offering to sell, install, or service; or
 - (C) soliciting or advertising the sale, installation, or servicing of;equipment or modifications specifically designed to facilitate use or operation of a vehicle by an individual who is disabled or aged.

As added by P.L.147-2009, SEC.2.

IC 9-13-2-9**"Automotive salvage rebuilder"**

Sec. 9. "Automotive salvage rebuilder", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-5.

*As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.166;
P.L.92-2013, SEC.7.*

IC 9-13-2-10

"Automotive salvage recycler"

Sec. 10. "Automotive salvage recycler" means a business that:

- (1) acquires damaged, inoperative, discarded, abandoned, or salvage motor vehicles, or their remains, as stock-in-trade;
- (2) dismantles and processes such vehicles or remains for the reclamation and sale of reusable components and parts; and
- (3) disposes of recyclable materials to a scrap metal processor or other appropriate facility.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-10.2

"Auxiliary power unit"

Sec. 10.2. "Auxiliary power unit", for purposes of IC 9-20-4-1(b), means an integrated system that:

- (1) provides heat, air conditioning, engine warming, or electricity to components on a heavy duty vehicle; and
- (2) is certified by the administrator of the United States Environmental Protection Agency under 40 CFR 89 as meeting applicable emission standards.

As added by P.L.65-2010, SEC.1.

IC 9-13-2-11

"Axle"

Sec. 11. "Axle" means the common axis of rotation of at least one (1) wheel or roller that is:

- (1) power driven or freely rotating; and
- (2) in at least one (1) segment.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-12

"Axle weight"

Sec. 12. "Axle weight" means the total weight concentrated on one (1) or more axles spaced less than forty (40) inches from center to center.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-13

"B-train assembly"

Sec. 13. "B-train assembly" means a rigid frame extension attached to the rear frame of a first semitrailer that allows for a fifth wheel connection point for a second semitrailer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-14

"Bicycle"

Sec. 14. "Bicycle" means any foot-propelled vehicle, irrespective

of the number of wheels in contact with the ground.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-15

"Broker"

Sec. 15. "Broker", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-6.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.2; P.L.92-2013, SEC.8.

IC 9-13-2-16

"Bureau"

Sec. 16. "Bureau", unless otherwise indicated, refers to the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.5.

IC 9-13-2-17

"Bus"

Sec. 17. (a) "Bus" means, except as provided in subsection (b), the following:

- (1) A motor vehicle or a passenger carrying semitrailer used for the purpose of carrying passengers on a regular schedule of time and rates between fixed termini.
- (2) A motor vehicle or a passenger carrying semitrailer designed for carrying more than ten (10) passengers exclusive of the driver.

The term does not include school buses, or motor vehicles that are funeral equipment and that are used in the operation of funeral services (as defined in IC 25-15-2-17).

(b) "Bus", for purposes of IC 9-21, means the following:

- (1) A motor vehicle designed for carrying passengers for hire and used for the transportation of persons.
- (2) A motor vehicle other than a taxicab designed or used for the transportation of persons for compensation.

As added by P.L.2-1991, SEC.1. Amended by P.L.24-2006, SEC.1.

IC 9-13-2-18

"Business district"

Sec. 18. "Business district" means the territory contiguous to and including a highway when at least fifty percent (50%) of the frontage of the territory for a distance of at least five hundred (500) feet is occupied by buildings in use for business.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-18.5

Repealed

(Repealed by P.L.118-1993, SEC.8.)

IC 9-13-2-18.6

"Capitalized cost"

Sec. 18.6. "Capitalized cost", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-7.

As added by P.L.86-1996, SEC.2. Amended by P.L.92-2013, SEC.9.

IC 9-13-2-18.7

"Capitalized cost reduction"

Sec. 18.7. "Capitalized cost reduction", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-8.

As added by P.L.86-1996, SEC.3. Amended by P.L.92-2013, SEC.10.

IC 9-13-2-19

"Certificate of compliance"

Sec. 19. "Certificate of compliance" means proof of financial responsibility presented to the bureau, in a manner prescribed by the bureau, in compliance with IC 9-25 or IC 9-26.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.5.

IC 9-13-2-19.2

"Certified chief instructor"

Sec. 19.2. "Certified chief instructor", for purposes of IC 9-27-7, has the meaning set forth in IC 9-27-7-2.

As added by P.L.145-2011, SEC.4.

IC 9-13-2-19.4

"Chaplain"

Sec. 19.4. "Chaplain", for purposes of IC 9-19-14.5, has the meaning set forth in IC 9-19-14-0.5.

As added by P.L.22-2013, SEC.1.

IC 9-13-2-19.5

"Charge back"

Sec. 19.5. "Charge back", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-9.

As added by P.L.68-2011, SEC.1; P.L.226-2011, SEC.2. Amended by P.L.92-2013, SEC.11.

IC 9-13-2-20

Repealed

(Repealed by P.L.45-2006, SEC.4.)

IC 9-13-2-21

"Chauffeur"

Sec. 21. (a) "Chauffeur", except as provided in subsection (b), means a person:

- (1) operating a motor vehicle registered as having a gross weight of at least sixteen thousand (16,000) pounds but not more than twenty-six thousand (26,000) pounds for the purpose of transporting property for hire; or
- (2) operating a private bus.

(b) "Chauffeur", for purposes of IC 9-25, means a person:

- (1) who is employed for hire for the principal purpose of operating a motor vehicle upon the highways;
- (2) who operates a motor vehicle while in use as a carrier of passengers or property for hire; or
- (3) who drives or operates a motor vehicle while in use as a school bus for the transportation of pupils to or from school.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.6; P.L.85-2013, SEC.6.

IC 9-13-2-22

"Chemical test"

Sec. 22. "Chemical test" means an analysis of a person's blood, breath, urine, or other bodily substance for the determination of the presence of alcohol, a controlled substance or its metabolite, or a drug or its metabolite.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-2006, SEC.1.

IC 9-13-2-23

"Child restraint system"

Sec. 23. "Child restraint system" means a device that:

- (1) is manufactured for the purpose of protecting children from injury during a motor vehicle accident; and
- (2) meets the standards prescribed and definition contained in 49 CFR 571.213.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-2004, SEC.1.

IC 9-13-2-24

"Church bus"

Sec. 24. "Church bus" has the meaning set forth in IC 9-29-5-9(a).

As added by P.L.2-1991, SEC.1. Amended by P.L.70-2009, SEC.1.

IC 9-13-2-25

"Civic event"

Sec. 25. "Civic event" means an event that is staged by a private organization for the purpose of creating a tourist attraction in an Indiana community.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-26

"Class A recovery vehicle"

Sec. 26. "Class A recovery vehicle" means a truck that:

- (1) is specifically designed for towing a disabled vehicle or a combination of vehicles; and
- (2) has a gross vehicle weight rating that is greater than sixteen thousand (16,000) pounds.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-27

"Class B recovery vehicle"

Sec. 27. "Class B recovery vehicle" means a truck that:

- (1) is specifically designed for towing a disabled vehicle or a combination of vehicles; and
- (2) has a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-27.5

Repealed

(Repealed by P.L.1-2010, SEC.156.)

IC 9-13-2-28

Expired

(Expired 12-31-2011 by P.L.145-2011, SEC.5.)

IC 9-13-2-28.3

"Collector snowmobile"

Sec. 28.3. "Collector snowmobile", for purposes of IC 9-18-2.5, has the meaning set forth in IC 9-18-2.5-2.

As added by P.L.259-2013, SEC.2.

IC 9-13-2-28.5

Repealed

(Repealed by P.L.85-2013, SEC.7.)

IC 9-13-2-29

"Commercial driver's license"

Sec. 29. "Commercial driver's license" has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

As added by P.L.2-1991, SEC.1. Amended by P.L.9-2010, SEC.5.

IC 9-13-2-29.5

"Commercial driver's license learner's permit"

Sec. 29.5. "Commercial driver's license learner's permit", for purposes of IC 9-24-6, has the meaning set forth in IC 9-24-6-0.5.

As added by P.L.188-2006, SEC.1.

IC 9-13-2-30

"Commercial enterprise"

Sec. 30. "Commercial enterprise" does not include the transportation of a farm commodity from the place of production to the first point of delivery where the commodity is weighed and title to the commodity is transferred.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-31

"Commercial motor vehicle"

Sec. 31. (a) "Commercial motor vehicle" means, except as provided in subsection (b), a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- (1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;
- (2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds;
- (3) is designed to transport sixteen (16) or more passengers, including the driver; or
- (4) is:
 - (A) of any size;
 - (B) used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act; and
 - (C) required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F).

(b) The bureau of motor vehicles may, by rule, broaden the definition of "commercial motor vehicle" under subsection (a) to include vehicles with a gross declared weight greater than eleven thousand (11,000) pounds but less than twenty-six thousand one (26,001) pounds.

As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.1; P.L.125-2012, SEC.8.

IC 9-13-2-31.5

"Commercial vehicle"

Sec. 31.5. "Commercial vehicle", for purposes of IC 9-18-2-4.5, means a motor vehicle or combination of motor vehicles used in commerce to transport property if the motor vehicle:

- (1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;
- (2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds; or
- (3) meets both of the following requirements:
 - (A) The motor vehicle has a gross vehicle weight rating of at least seven thousand (7,000) pounds, but less than twenty-six thousand one (26,001) pounds.
 - (B) The motor vehicle is owned by a registered carrier holding a valid Indiana fuel tax permit under IC 6-6-4.1.

As added by P.L.150-2001, SEC.2.

IC 9-13-2-32

"Commission"

Sec. 32. "Commission" refers to the bureau of motor vehicles commission.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-32.5

"Commission board"

Sec. 32.5. "Commission board" refers to the commission board of the bureau of motor vehicles.

As added by P.L.125-2012, SEC.9.

IC 9-13-2-33

"Commissioner"

Sec. 33. "Commissioner" refers to the commissioner of the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-34

"Component part"

Sec. 34. "Component part" means the engine, transmission, body-chassis, doghouse (front assembly), rear-end, or frame of a vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.3.

IC 9-13-2-34.3

"Compression release engine brake"

Sec. 34.3. "Compression release engine brake", for purposes of IC 9-21-8-44.5, has the meaning set forth in IC 9-21-8-44.5(a).

As added by P.L.1-2002, SEC.38.

IC 9-13-2-34.5

"Container"

Sec. 34.5. "Container", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-13.

As added by P.L.53-1994, SEC.4.

IC 9-13-2-35

"Controlled substance"

Sec. 35. (a) Except as provided in subsection (b), "controlled substance" has the meaning set forth in IC 35-48-1.

(b) For purposes of IC 9-24-6, "controlled substance" has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

As added by P.L.2-1991, SEC.1. Amended by P.L.9-2010, SEC.6.

IC 9-13-2-36

"Conventional school bus"

Sec. 36. "Conventional school bus" means a motor vehicle designed with the engine compartment projecting forward from the passenger compartment.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-37

"Converter manufacturer"

Sec. 37. "Converter manufacturer" means a person who adds to, subtracts from, or modifies a previously assembled or manufactured motor vehicle. The term does not include a person who manufactures recreational vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.4.

IC 9-13-2-38

"Conviction"

Sec. 38. (a) Except as provided in subsection (b), "conviction" includes the following:

- (1) A conviction or judgment upon a plea of guilty or nolo contendere.
- (2) A determination of guilt by a jury or a court, even if:
 - (A) no sentence is imposed; or
 - (B) a sentence is suspended.
- (3) A forfeiture of bail, bond, or collateral deposited to secure the defendant's appearance for trial, unless the forfeiture is vacated.
- (4) A payment of money as a penalty or as costs in accordance with an agreement between a moving traffic violator and a traffic violations bureau.

(b) "Conviction", for purposes of IC 9-24-6, has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

As added by P.L.2-1991, SEC.1. Amended by P.L.93-1991, SEC.1; P.L.9-2010, SEC.7.

IC 9-13-2-39

"Court"

Sec. 39. "Court", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-39.5

"Covered offense"

Sec. 39.5. "Covered offense", for purposes of IC 9-30-14, has the meaning set forth in IC 9-30-14-1.

As added by P.L.94-1991, SEC.1.

IC 9-13-2-40

"Crosswalk"

Sec. 40. "Crosswalk" means any of the following:

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway.
- (2) A part of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-41

"Current driving license"

Sec. 41. "Current driving license" means every class and kind of license or permit that evidences the privilege to operate a motor vehicle upon the highways of Indiana. The term includes a privilege

granted by the license.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-42

"Dealer"

Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year. The term includes a person who sells off-road vehicles and, after December 31, 2013, a person who sells snowmobiles. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) An automotive mobility dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public at least six (6):

- (1) boats; or
- (2) trailers:
 - (A) designed and used exclusively for the transportation of watercraft; and
 - (B) sold in general association with the sale of watercraft; per year.

As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.4; P.L.66-1992, SEC.2; P.L.74-2001, SEC.1; P.L.219-2005, SEC.1; P.L.41-2006, SEC.1; P.L.107-2008, SEC.6; P.L.131-2008, SEC.34; P.L.147-2009, SEC.3; P.L.93-2010, SEC.1; P.L.92-2013, SEC.12; P.L.259-2013, SEC.3.

IC 9-13-2-43

"Designated family member"

Sec. 43. (a) "Designated family member" means a franchisee's spouse, child, grandchild, parent, or sibling who has been nominated as the franchisee's successor under a written document filed by the franchisee with the franchisor.

(b) If no such document has been filed, the term means a franchisee's spouse, child, grandchild, parent, or sibling who:

- (1) if the franchisee is deceased, is entitled to inherit the franchisee's ownership interest in the franchisee's business under the franchisee's will or under the laws of intestate succession; or
- (2) if the franchisee is incapacitated, is appointed by the court as the legal representative of the franchisee's property.

(c) If a franchisee is deceased, the term includes the appointed and qualified personal representative and testamentary trustee of the deceased franchisee.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-43.3**"Director"**

Sec. 43.3. "Director", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-10.

As added by P.L.92-2013, SEC.13.

IC 9-13-2-43.5**"Disclose"**

Sec. 43.5. "Disclose", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-2.

As added by P.L.2-1997, SEC.24.

IC 9-13-2-44**"Disposal facility"**

Sec. 44. (a) "Disposal facility" means a person, firm, limited liability company, corporation, or other legal entity that, in the course of business, engages in the acquisition and dismantling or demolition of vehicles, motorcycles, semitrailers, or recreational vehicles or their remains for the benefit of reusable components and parts or recyclable materials.

(b) The term includes the following enterprises:

- (1) An automotive salvage recycler.
- (2) A hulk crusher.
- (3) A scrap metal processor.

As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.167; P.L.125-2012, SEC.10; P.L.92-2013, SEC.14.

IC 9-13-2-45**"Distributor"**

Sec. 45. "Distributor" means a person, other than a manufacturer or wholesale dealer, who is engaged in the business of selling motor vehicles to dealers located in Indiana. The term includes a distributor's branch office or the distributor's representative. The term does not include a recreational vehicle manufacturer.

As added by P.L.2-1991, SEC.1. Amended by P.L.78-2002, SEC.1.

IC 9-13-2-45.5**"Division"**

Sec. 45.5. "Division", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-11.

As added by P.L.92-2013, SEC.15.

IC 9-13-2-46**"Driveaway or towaway"**

Sec. 46. "Driveaway or towaway", for purposes of IC 9-20-9-1, has the meaning set forth in IC 9-20-9-1(a).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-47**"Driver"**

Sec. 47. "Driver" means a person who drives or is in actual physical control of a vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-47.2

"Driver training school"

Sec. 47.2. "Driver training school", for purposes of IC 9-27-6, has the meaning set forth in IC 9-27-6-3.

As added by P.L.85-2013, SEC.8.

IC 9-13-2-48

"Driver's license"

Sec. 48. (a) Except as provided in subsection (b), "driver's license" means any type of license issued by the state authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on public streets, roads, or highways.

(b) "Driver's license", for purposes of IC 9-28-2, has the meaning set forth in IC 9-28-2-4.

As added by P.L.2-1991, SEC.1. Amended by P.L.184-2007, SEC.6; P.L.125-2012, SEC.11; P.L.85-2013, SEC.9.

IC 9-13-2-48.3

"Driving privileges"

Sec. 48.3. "Driving privileges" means the authority granted to an individual that allows the individual to operate a vehicle of the type and in the manner for which the authority was granted.

As added by P.L.125-2012, SEC.12.

IC 9-13-2-48.5

"Driving record"

Sec. 48.5. "Driving record" means the following:

(1) A record maintained by the bureau as required under IC 9-14-3-7.

(2) A record established by the bureau under IC 9-24-18-9.

As added by P.L.125-2012, SEC.13. Amended by P.L.85-2013, SEC.10.

IC 9-13-2-49

"Driveway or private road"

Sec. 49. "Driveway" or "private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-49.1

"Drug"

Sec. 49.1. The term "drug" includes legend drug (as defined in IC 16-18-2-199), nitrous oxide, "model glue" (as defined in

IC 35-46-6-1), and any substance listed in IC 35-46-6-2(2).
As added by P.L.33-1997, SEC.2.

IC 9-13-2-49.3

"Electric personal assistive mobility device"

Sec. 49.3. "Electric personal assistive mobility device" means a self-balancing, two (2) nontandem wheeled device that is designed to transport only one (1) person and that has the following:

- (1) An electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower.
- (2) A maximum speed of less than twenty (20) miles per hour when operated on a paved level surface, when powered solely by the propulsion system referred to in subdivision (1), and when operated by an operator weighing one hundred seventy (170) pounds.

As added by P.L.143-2002, SEC.1.

IC 9-13-2-49.5

"Electronic traffic ticket"

Sec. 49.5. "Electronic traffic ticket", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.5.

As added by P.L.184-2007, SEC.7; P.L.206-2007, SEC.1.

IC 9-13-2-49.7

"Entrapment"

Sec. 49.7. "Entrapment" means a confining circumstance from which escape or relief is difficult or impossible.

As added by P.L.126-2008, SEC.1.

IC 9-13-2-49.9

"Equivalent single axle load mile"

Sec. 49.9. (a) "Equivalent single axle load mile", for purposes of IC 9-29-6, has the meaning set forth in IC 9-29-6-0.5.

(b) This section expires on the date IC 9-29-6-0.5 expires.

As added by P.L.135-2013, SEC.2.

IC 9-13-2-50

"Established place of business"

Sec. 50. "Established place of business" means a permanent enclosed building or structure owned or leased for the purpose of offering for sale, trading, and selling motor vehicles. The term does not include a residence, tent, temporary stand, or permanent quarters temporarily occupied.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.16.

IC 9-13-2-50.5

"Executive"

Sec. 50.5. "Executive", for purposes of IC 9-32-11-11(f), has the meaning set forth in IC 9-32-11-11(f).

As added by P.L.92-2013, SEC.17.

IC 9-13-2-51**"Existing franchise"**

Sec. 51. "Existing franchise", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-12.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.18.

IC 9-13-2-52**"Explosives"**

Sec. 52. "Explosives" means a chemical compound or mechanical mixture that:

- (1) is commonly used or intended for the purpose of producing an explosion; or
- (2) contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-52.5**"Extra wide manufactured home rig"**

Sec. 52.5. "Extra wide manufactured home rig", for purposes of IC 9-20-15-6, has the meaning set forth in IC 9-20-15-6(a).

As added by P.L.95-1991, SEC.1.

IC 9-13-2-53**"Fair market value"**

Sec. 53. "Fair market value", for purposes of IC 9-22-3, has the meaning set forth in IC 9-22-3-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-54**"Farm commodities"**

Sec. 54. "Farm commodities", for purposes of IC 9-20-4-2, has the meaning set forth in IC 9-20-4-2(c) and IC 9-20-4-2(d).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-55**Repealed**

(Repealed by P.L.210-2005, SEC.76.)

IC 9-13-2-56**"Farm tractor"**

Sec. 56. "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing implements of agriculture used on a farm and, when using the highways, in traveling from one (1) field or farm to another or to or from places of repairs. The term includes a wagon, trailer, or other vehicle pulled by a farm tractor.

As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.5.

IC 9-13-2-57

Repealed

(Repealed by P.L.210-2005, SEC.76.)

IC 9-13-2-58

"Farm truck, farm trailer, or farm semitrailer and tractor"

Sec. 58. "Farm truck", "farm trailer", or "farm semitrailer and tractor" means a truck, trailer, or semitrailer and tractor used:

- (1) directly in the conduct of a commercial enterprise related to farming or agriculture; or
- (2) for the transportation of farm products after the farm products have entered the channels of commerce.

The term does not include an implement of agriculture.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.5.

IC 9-13-2-59

"Farm vehicle loaded with a farm product"

Sec. 59. "Farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-60

"Farm wagon"

Sec. 60. (a) "Farm wagon" means any of the following:

- (1) A wagon, other than an implement of agriculture, that is used primarily for transporting farm products and farm supplies in connection with a farming operation.
- (2) A three (3), four (4), or six (6) wheeled motor vehicle with a folding hitch on the front of the motor vehicle, manufactured with seating for not more than four (4) individuals, that is used primarily:
 - (A) to transport an individual from one (1) farm field to another, whether or not the motor vehicle is operated on a highway in order to reach the other farm field;
 - (B) for the transportation of an individual upon farm premises; or
 - (C) for both purposes set forth in clauses (A) and (B).

- (3) A three (3), four (4), or six (6) wheeled construction related motor vehicle, capable of cross-country travel:

- (A) without the benefit of a road; and
 - (B) on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain;
- that is used primarily for construction related purposes, including hauling building materials.

- (b) The term includes a motor vehicle described in subsection (a)(2) that is used for the incidental transportation of farm supplies or farm implements at the same time it is used for the transportation of an individual.

As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.6; P.L.150-2009, SEC.1; P.L.86-2010, SEC.1.

IC 9-13-2-61

"Fatal accident"

Sec. 61. "Fatal accident", for purposes of IC 9-30-7, has the meaning set forth in IC 9-30-7-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-62

"Federal act"

Sec. 62. "Federal act", for purposes of IC 9-27-1, has the meaning set forth in IC 9-27-1-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-62.5

"Fire lane"

Sec. 62.5. (a) "Fire lane", for purposes of IC 9-21-16-5.5, means an area that is:

(1) located within twelve (12) feet of:

(A) a building that:

(i) is occupied for commercial, professional, religious, or any other purpose; and

(ii) is not a building that is intended for use as a dwelling for one (1) or two (2) families; or

(B) a sidewalk immediately adjacent to or attached to a building; and

(2) designated as a fire lane under IC 9-21-16-5.5(c).

(b) The term includes an alley.

As added by P.L.8-2003, SEC.1.

IC 9-13-2-63

"Fiscal body"

Sec. 63. "Fiscal body" means the following:

(1) County council, for a county not having a consolidated city.

(2) City-county council, for a consolidated city or county having a consolidated city.

(3) Common council, for a city other than a consolidated city.

(4) Town council, for a town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-64

"Flagman"

Sec. 64. "Flagman" means an authorized person directing traffic in accordance with the provisions of this title at a worksite.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-65

"Flammable liquid"

Sec. 65. "Flammable liquid" means a liquid that has a flash point

of seventy (70) degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-66

"Fleet"

Sec. 66. "Fleet" means three (3) or more intercity buses.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-67

"Franchise"

Sec. 67. "Franchise", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-13.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.19.

IC 9-13-2-68

"Franchisee"

Sec. 68. "Franchisee", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-14.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.20.

IC 9-13-2-69

"Franchisor"

Sec. 69. "Franchisor", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-15.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.21.

IC 9-13-2-69.3

"Funeral escort vehicle"

Sec. 69.3. "Funeral escort vehicle" means a vehicle driven by a person who provides escort services for funeral processions. The term does not include an authorized emergency vehicle or a vehicle owned and operated by a funeral home (as defined in IC 25-15-2-15).

As added by P.L.236-2003, SEC.1. Amended by P.L.80-2012, SEC.1.

IC 9-13-2-69.5

"Funeral procession"

Sec. 69.5. "Funeral procession" means two (2) or more vehicles, including a lead vehicle or a funeral escort vehicle, accompanying human remains.

As added by P.L.236-2003, SEC.2. Amended by P.L.24-2006, SEC.2.

IC 9-13-2-69.7

"Golf cart"

Sec. 69.7. "Golf cart" means a four (4) wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

As added by P.L.150-2009, SEC.2.

IC 9-13-2-69.8**"Gold Star family member"**

Sec. 69.8. "Gold Star family member" for purposes of IC 9-18-54, has the meaning set forth in IC 9-18-54-1.

As added by P.L.87-2010, SEC.5.

IC 9-13-2-70**Repealed**

(Repealed by P.L.85-2013, SEC.11.)

IC 9-13-2-71**"Gross weight"**

Sec. 71. "Gross weight" means the weight of a vehicle without load, plus the weight of any load on the vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-72**"Habitual violator"**

Sec. 72. "Habitual violator", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-4.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-72.5**"Heavy duty vehicle"**

Sec. 72.5. "Heavy duty vehicle", for purposes of IC 9-20-4-1(b), means a vehicle that:

- (1) has a gross vehicle weight rating greater than eight thousand five hundred (8,500) pounds; and
- (2) is powered by a diesel engine.

As added by P.L.65-2010, SEC.2.

IC 9-13-2-72.7**"Highly restricted personal information"**

Sec. 72.7. "Highly restricted personal information", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-2.5.

As added by P.L.125-2012, SEC.14.

IC 9-13-2-73**"Highway or street"**

Sec. 73. "Highway" or "street" means the entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-74**"Hulk crusher"**

Sec. 74. "Hulk crusher" means an enterprise that engages in the business of handling and flattening, compacting, or otherwise demolishing motor vehicles, motorcycles, semitrailers, or

recreational vehicles, or their remains, for economical delivery to a scrap metal processor or other appropriate facility.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-74.5

"Identification card"

Sec. 74.5. "Identification card" means an identification document issued by a state government for purposes of identification.

As added by P.L.184-2007, SEC.8.

IC 9-13-2-75

"Identification number"

Sec. 75. "Identification number", for purposes of IC 9-17-4-18, has the meaning set forth in IC 9-17-4-18.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.3; P.L.125-2012, SEC.15; P.L.262-2013, SEC.6.

IC 9-13-2-76

"Ignition interlock device"

Sec. 76. "Ignition interlock device" means a blood alcohol concentration equivalence measuring device that prevents a motor vehicle from being started without first determining the operator's equivalent breath alcohol concentration through the taking of a deep lung breath sample.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-77

"Implement of agriculture"

Sec. 77. "Implement of agriculture" means agricultural implements, pull type and self-propelled, used for the:

- (1) transport;
- (2) delivery; or
- (3) application;

of crop inputs, including seed, fertilizers, and crop protection products, and vehicles designed to transport these types of agricultural implements.

As added by P.L.2-1991, SEC.1. Amended by P.L.81-1991, SEC.3; P.L.210-2005, SEC.7; P.L.262-2013, SEC.7.

IC 9-13-2-77.5

"Indiana firefighter"

Sec. 77.5. "Indiana firefighter", for purposes of IC 9-18-34, has the meaning set forth in IC 9-18-34-1.

As added by P.L.118-1998, SEC.2.

IC 9-13-2-78

"Indiana resident"

Sec. 78. "Indiana resident" refers to a person who is one (1) of the following:

- (1) A person who lives in Indiana for at least one hundred

eighty-three (183) days during a calendar year and who has a legal residence in another state. However, the term does not include a person who lives in Indiana for any of the following purposes:

- (A) Attending a postsecondary educational institution.
 - (B) Serving on active duty in the armed forces of the United States.
 - (C) Temporary employment.
 - (D) Other purposes, without the intent of making Indiana a permanent home.
- (2) A person who is living in Indiana if the person has no other legal residence.
- (3) A person who is registered to vote in Indiana or who satisfies the standards for determining residency in Indiana under IC 3-5-5.
- (4) A person who has a child enrolled in an elementary or a secondary school located in Indiana.
- (5) A person who has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who is considered a resident under this subdivision is not a resident if the person proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through (4).
- (6) A person who:
- (A) is enrolled as a student of a truck driver training school;
 - (B) has legal residence in another state but is living in Indiana temporarily for the express purpose of taking a course of study from the truck driver training school; and
 - (C) intends to return to the person's state of residence upon completion of the course of study of the truck driver training school.

As added by P.L.2-1991, SEC.1. Amended by P.L.188-2006, SEC.2; P.L.2-2007, SEC.139; P.L.85-2013, SEC.12.

IC 9-13-2-79

"Individual owner"

Sec. 79. "Individual owner", for purposes of IC 9-20-15-4 and IC 9-20-18-13(b), has the meaning set forth in IC 9-20-15-4(a).

As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.2.

IC 9-13-2-79.5

"Individual record"

Sec. 79.5. "Individual record", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-3.

As added by P.L.2-1997, SEC.25.

IC 9-13-2-79.7

"Inflatable restraint system"

Sec. 79.7. "Inflatable restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1.

As added by P.L.248-2003, SEC.1 and P.L.265-2003, SEC.1.

IC 9-13-2-80

Repealed

(Repealed by P.L.1-2010, SEC.156.)

IC 9-13-2-80.5

"Instructor"

Sec. 80.5. "Instructor", for purposes of IC 9-27-6, has the meaning set forth in IC 9-27-6-4.

As added by P.L.145-2011, SEC.7.

IC 9-13-2-81

"Instructor of an approved driver education course"

Sec. 81. "Instructor of an approved driver education course" includes the following:

- (1) A high school teacher who conducts a driver education course.
- (2) The principal of a high school offering a driver education course.
- (3) The authorized agent of an approved driver education school.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-82

"Insured"

Sec. 82. "Insured", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-83

"Intercity bus"

Sec. 83. "Intercity bus" means a bus that is used in the transportation of passengers for hire over a fixed route under a certificate issued by the Interstate Commerce Commission in interstate or combined interstate-intrastate commerce or movements in Indiana.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-84

"Intersection"

Sec. 84. (a) "Intersection" means the area embraced within:

- (1) the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two
- (2) highways that join at, or approximately at, right angles; or
- (2) the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two (2) roadways at least thirty

(30) feet apart, every crossing of each roadway of the divided highway by an intersecting highway is regarded as a separate intersection. If the intersecting highway also includes two (2) roadways at least thirty (30) feet apart, every crossing of two (2) roadways of the intersecting highway is regarded as a separate intersection.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-85

"Interstate highway"

Sec. 85. "Interstate highway" means a highway that is a part of the national system of interstate and defense highways (23 U.S.C. as in effect January 1, 1991).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-86

"Intoxicated"

Sec. 86. "Intoxicated" means under the influence of:

- (1) alcohol;
- (2) a controlled substance (as defined in IC 35-48-1);
- (3) a drug other than alcohol or a controlled substance;
- (4) a substance described in IC 35-46-6-2 or IC 35-46-6-3;
- (5) a combination of substances described in subdivisions (1) through (4); or
- (6) any other substance, not including food and food ingredients (as defined in IC 6-2.5-1-20), tobacco (as defined in IC 6-2.5-1-28), or a dietary supplement (as defined in IC 6-2.5-1-16);

so that there is an impaired condition of thought and action and the loss of normal control of a person's faculties.

As added by P.L.2-1991, SEC.1. Amended by P.L.175-2001, SEC.1; P.L.151-2006, SEC.4; P.L.196-2013, SEC.3.

IC 9-13-2-87

"Intracity bus"

Sec. 87. "Intracity bus" means a bus operating wholly within the corporate boundaries of a city or town, including contiguous cities or towns, and cities and towns contiguous to or operating in a local transportation system within a city and adjacent suburban territory on a route that extends from within the city into the suburban territory as described in IC 36-9-1-9.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-88

"Judge"

Sec. 88. "Judge", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-89

"Judgment"

Sec. 89. (a) "Judgment" means, except as provided in subsections (b), (c), and (d), any judgment, except a judgment rendered against the state or a political subdivision or a municipality of the state that becomes final by expiration without appeal of the time within which appeal might have been perfected, or by final affirmation on appeal, rendered by a court of any state of the United States.

(b) "Judgment", for purposes of IC 9-25-6-4, has the meaning set forth in IC 9-25-6-4(b).

(c) "Judgment", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-1.

(d) "Judgment", for purposes of IC 9-30-11, has the meaning set forth in IC 9-30-11-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-90**"Labor rate"**

Sec. 90. "Labor rate", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-16.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.22.

IC 9-13-2-91**"Lamp"**

Sec. 91. "Lamp" means a single bulb that emits light.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-92 Version a**"Law enforcement officer"**

Note: This version of section effective until 7-1-2013. See also following version of this section, effective 7-1-2013.

Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

- (1) A state police officer.
- (2) A city, town, or county police officer.
- (3) A sheriff.
- (4) A county coroner.
- (5) A conservation officer.
- (6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).
- (7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
- (8) An excise police officer of the alcohol and tobacco commission.
- (9) A gaming control officer employed by the gaming control division under IC 4-33-20.

(b) "Law enforcement officer", for purposes of IC 9-30-6 and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.1; P.L.227-2005, SEC.8; P.L.210-2005, SEC.8; P.L.1-2006, SEC.157; P.L.94-2006, SEC.2; P.L.114-2012, SEC.19; P.L.13-2013, SEC.33.

IC 9-13-2-92 Version b**"Law enforcement officer"**

Note: This version of section effective 7-1-2013. See also preceding version of this section, effective until 7-1-2013.

Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

- (1) A state police officer.
- (2) A city, town, or county police officer.
- (3) A sheriff.
- (4) A county coroner in accordance with IC 36-2-14-4.
- (5) A conservation officer.
- (6) An individual assigned duties and limitations under IC 10-11-2-26.
- (7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
- (8) An excise police officer of the alcohol and tobacco commission.
- (9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of IC 9-30-6 and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.1; P.L.227-2005, SEC.8; P.L.210-2005, SEC.8; P.L.1-2006, SEC.157; P.L.94-2006, SEC.2; P.L.114-2012, SEC.19; P.L.13-2013, SEC.33; P.L.85-2013, SEC.13; P.L.262-2013, SEC.8.

IC 9-13-2-92.2**"Lawful intervention technique"**

Sec. 92.2. "Lawful intervention technique", for purposes of IC 9-21-1, has the meaning set forth in IC 9-21-1-0.5.

As added by P.L.145-2009, SEC.1.

IC 9-13-2-92.5**"Lease agreement"**

Sec. 92.5. "Lease agreement", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-17.

As added by P.L.86-1996, SEC.4. Amended by P.L.92-2013, SEC.23.

IC 9-13-2-92.7**"Lease transaction"**

Sec. 92.7. "Lease transaction", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-18.

As added by P.L.86-1996, SEC.5. Amended by P.L.92-2013, SEC.24.

IC 9-13-2-93**"License"**

Sec. 93. "License", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-93.3

"License plate committee"

Sec. 93.3. "License plate committee", for purposes of IC 9-18-25, has the meaning set forth in IC 9-18-25-0.5.

As added by P.L.107-2013, SEC.2.

IC 9-13-2-93.5

"Line make"

Sec. 93.5. "Line make" means the name given by a manufacturer to a line of motor vehicles to distinguish it as produced or sold by the manufacturer and that may be used and protected as a trademark.

As added by P.L.78-2002, SEC.2.

IC 9-13-2-94

"Local authorities"

Sec. 94. (a) "Local authorities" means, except as provided in subsection (b), all officers of counties, cities, or towns, as well as all boards and other public officials of counties, cities, or towns.

(b) "Local authorities", for purposes of IC 9-21, means every county, municipal, and other local board or body having authority to adopt local police regulations under the laws and the Constitution of the State of Indiana.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-94.2

"Local law enforcement agency"

Sec. 94.2. "Local law enforcement agency", for purposes of IC 9-29-11.5, has the meaning set forth in IC 9-29-11.5-2.

As added by P.L.83-2008, SEC.2.

IC 9-13-2-94.4

Repealed

(Repealed by P.L.262-2013, SEC.9.)

IC 9-13-2-94.5

"Low speed vehicle"

Sec. 94.5. "Low speed vehicle" means a four (4) wheeled electrically powered motor vehicle:

- (1) with a maximum design speed of not more than thirty-five (35) miles per hour;
- (2) with operational and equipment specifications described in 49 CFR 571.500;
- (3) that is equipped with:
 - (A) headlamps;
 - (B) front and rear turn signal lamps, tail lamps, and stop lamps;

- (C) reflex reflectors;
 - (D) exterior or interior mirrors;
 - (E) brakes as specified in IC 9-19-3-1;
 - (F) a windshield;
 - (G) a vehicle identification number; and
 - (H) a safety belt installed at each designated seating position; and
- (4) that has not been privately assembled as described in IC 9-17-4-1.

The term does not include a golf cart or an off-road vehicle.

As added by P.L.21-2003, SEC.1. Amended by P.L.9-2007, SEC.1; P.L.150-2009, SEC.3; P.L.262-2013, SEC.10.

IC 9-13-2-95

"Major component parts"

Sec. 95. "Major component parts" means those parts of motor vehicles, motorcycles, semitrailers, or recreational vehicles normally having a manufacturer's vehicle identification number, a derivative of the identification number, or a number supplied by an authorized governmental agency, including doors, fenders, differentials, frames, transmissions, engines, doghouses (front assembly), rear clips, and additional parts as prescribed by the bureau.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-96

"Manufactured home"

Sec. 96. (a) "Manufactured home" means, except as provided in subsection (b), a structure that:

- (1) is assembled in a factory;
- (2) bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.);
- (3) is designed to be transported from the factory to another site in one (1) or more units;
- (4) is suitable for use as a dwelling in any season; and
- (5) is more than thirty-five (35) feet long.

(b) "Manufactured home", for purposes of IC 9-17-6, means either of the following:

- (1) A structure having the meaning set forth in the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).
- (2) A mobile home.

As added by P.L.2-1991, SEC.1. Amended by P.L.106-2003, SEC.1; P.L.203-2013, SEC.13.

IC 9-13-2-97

"Manufacturer"

Sec. 97. (a) "Manufacturer" means, except as provided in subsection (b), a person engaged in the business of constructing or assembling vehicles, of a type required to be registered under

IC 9-18, at an established place of business. The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

(b) "Manufacturer", for purposes of IC 9-23, means a person who is engaged in the business of manufacturing or assembling new motor vehicles or major component parts of motor vehicles, or both, and sells new motor vehicles to dealers, wholesale dealers, distributors, or the general public. The term includes the following:

- (1) A factory branch office of the manufacturer.
- (2) An authorized representative of the manufacturer.
- (3) A partnership, a firm, an association, a joint venture, a limited liability company, a corporation, or a trust, resident or nonresident, that is controlled by the manufacturer.

The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.168; P.L.78-2002, SEC.3; P.L.21-2003, SEC.2; P.L.147-2009, SEC.4.

IC 9-13-2-97.5

"Manufacturer of a vehicle subcomponent system"

Sec. 97.5. "Manufacturer of a vehicle subcomponent system" means a manufacturer of a vehicle subcomponent system essential to the operation of a motor vehicle. The term includes a public or private university that is engaged in the:

- (1) research;
- (2) development; or
- (3) manufacture;

of a vehicle subcomponent system.

As added by P.L.93-2010, SEC.2.

IC 9-13-2-98

"Marching band procession"

Sec. 98. "Marching band procession", for purposes of IC 9-21-14, has the meaning set forth in IC 9-21-14-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-99

"Maxi-cube"

Sec. 99. "Maxi-cube" vehicle means a truck tractor combined with a semitrailer and a separable cargo carrying unit that is designed to be loaded and unloaded through the vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-100

"Medical services vehicle"

Sec. 100. "Medical services vehicle" means any of the following:

- (1) A vehicle that is used or intended to be used for the purpose of responding to emergency life-threatening situations and providing emergency transportation service.
- (2) A vehicle that is routinely used to transport patients who are

not acutely ill or injured in a life-threatening manner.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-101

"Member of the armed forces of the United States"

Sec. 101. "Member of the armed forces of the United States" means a person who served or serves on active military or naval service in the land, air, or naval forces of the United States. The term does not include service in the merchant marines.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-102

"Metal tire"

Sec. 102. "Metal tire" means a tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-102.3

"Metered space"

Sec. 102.3. "Metered space", for purposes of IC 9-18-17 and IC 9-18-18, means a public parking space at which parking is regulated by:

- (1) a parking meter; or
- (2) an official traffic control device that imposes a maximum parking time for the public parking space.

The term does not include parking spaces or areas regulated under IC 9-21-18.

As added by P.L.6-2009, SEC.1.

IC 9-13-2-103

"Military vehicle"

Sec. 103. "Military vehicle" means a vehicle that:

- (1) was originally manufactured for military use;
- (2) is motorized or nonmotorized, including a motorcycle, motor scooter, and trailer;
- (3) is at least twenty-five (25) years old; and
- (4) is privately owned.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-103.2

"Mobile home"

Sec. 103.2. (a) "Mobile home" means, except as provided in subsection (b), a structure that:

- (1) is assembled in a factory;
- (2) is designed to be transported from the factory to another site in one (1) or more units;
- (3) is suitable for use as a dwelling in any season;
- (4) is more than thirty-five (35) feet long; and
- (5) either:

(A) bears a seal certifying that the structure was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.); or

(B) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

(b) "Mobile home", for purposes of IC 9-22-1.5, has the meaning set forth in IC 6-6-5-1.

As added by P.L.108-2001, SEC.1. Amended by P.L.203-2013, SEC.14.

IC 9-13-2-103.5

"Motorboat"

Sec. 103.5. (a) "Motorboat" means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means.

(b) The term includes a sailboat that is equipped with a motor or an engine described in subsection (a) when the sailboat is in operation whether or not the sails are hoisted.

As added by P.L.71-1991, SEC.5.

IC 9-13-2-104

"Motor scooter"

Sec. 104. "Motor scooter" means a vehicle that has the following:

- (1) Motive power.
- (2) A seat, but not a saddle, for the driver.
- (3) Two (2) wheels.
- (4) A floor pad for the driver's feet.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-105

"Motor vehicle"

Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, or an electric personal assistive mobility device.

(b) "Motor vehicle", for purposes of IC 9-21, means:

- (1) a vehicle except a motorized bicycle that is self-propelled;
or
- (2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25, means a vehicle that is self-propelled upon a highway in Indiana. The term does not include a farm tractor.

(d) "Motor vehicle", for purposes of IC 9-30-10, does not include a motorized bicycle.

(e) "Motor vehicle", for purposes of IC 9-32-13, includes a semitrailer.

(f) "Motor vehicle", for purposes of IC 9-24-6, has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.1; P.L.143-2002, SEC.2; P.L.248-2003, SEC.2 and P.L.265-2003, SEC.2; P.L.210-2005, SEC.9; P.L.191-2007, SEC.1; P.L.9-2010, SEC.8; P.L.92-2013, SEC.25.

IC 9-13-2-106

"Motor vehicle liability policy"

Sec. 106. "Motor vehicle liability policy" means an owner's policy of liability insurance or an operator's policy of liability insurance that:

- (1) is issued, except as provided in IC 9-25-5-10, by an insurance carrier duly authorized to transact business in Indiana to or for the benefit of the person named in the policy as insured; and
- (2) insures against liability resulting from the ownership, maintenance, use, or operation of a motor vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.59-1994, SEC.1.

IC 9-13-2-107

"Motor vehicle part"

Sec. 107. "Motor vehicle part", for purposes of IC 9-17-4, has the meaning set forth in IC 9-17-4-0.4.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.11.

IC 9-13-2-107.5

"Motor vehicle record"

Sec. 107.5. "Motor vehicle record", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-4.

As added by P.L.2-1997, SEC.26.

IC 9-13-2-108

"Motorcycle"

Sec. 108. "Motorcycle" means a motor vehicle with motive power that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in contact with the ground; and
- (3) satisfies the operational and equipment specifications described in 49 CFR 571 and IC 9-19.

The term does not include a farm tractor, a motor scooter, or a motorized bicycle.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.12.

IC 9-13-2-109

"Motorized bicycle"

Sec. 109. "Motorized bicycle" means a two (2) or three (3) wheeled vehicle that is propelled by an internal combustion engine or a battery powered motor, and if powered by an internal

combustion engine, has the following:

- (1) An engine rating of not more than two (2) horsepower and a cylinder capacity not exceeding fifty (50) cubic centimeters.
- (2) An automatic transmission.
- (3) A maximum design speed of not more than twenty-five (25) miles per hour on a flat surface.

The term does not include an electric personal assistive mobility device.

As added by P.L.2-1991, SEC.1. Amended by P.L.143-2002, SEC.3.

IC 9-13-2-109.3

"Motorsports"

Sec. 109.3. "Motorsports" means the group of sports that are sanctioned by one (1) or more member clubs of the Automobile Competition Committee for the United States.

As added by P.L.12-2013, SEC.1.

IC 9-13-2-110

"Moving traffic offense"

Sec. 110. "Moving traffic offense" means a violation of a statute, an ordinance, a rule, or a regulation relating to the operation or use of a motor vehicle while the motor vehicle is in motion.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.2; P.L.1-2002, SEC.39; P.L.85-2013, SEC.14.

IC 9-13-2-110.5

"Municipal waste collection and transportation vehicle"

Sec. 110.5. (a) "Municipal waste collection and transportation vehicle" means a truck used to transport municipal waste (as defined in IC 13-11-2-133) from a solid waste generator or a solid waste processing facility (as defined in IC 13-11-2-212) to a:

- (1) solid waste processing facility (as defined in IC 13-11-2-212) in Indiana; or
- (2) solid waste disposal facility (as defined in IC 13-11-2-206) in Indiana.

(b) The term does not include a vehicle that is:

- (1) used to transport municipal waste (as defined in IC 13-11-2-133) from a residence if the vehicle is:
 - (A) owned;
 - (B) leased; or
 - (C) operated;by an individual who lives in the residence; or
- (2) not used for commercial solid waste transportation.

As added by P.L.114-1993, SEC.1. Amended by P.L.1-1996, SEC.58; P.L.131-2006, SEC.1.

IC 9-13-2-111

"New motor vehicle"

Sec. 111. "New motor vehicle" means a motor vehicle:

- (1) that has not been previously titled under IC 9-17 and carries

a manufacturer's certificate of origin; or
(2) that has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.
As added by P.L.2-1991, SEC.1. Amended by P.L.10-1998, SEC.1.

IC 9-13-2-112

"Nonmoving traffic offense"

Sec. 112. "Nonmoving traffic offense" means a violation of a statute, an ordinance, or a regulation concerning the following:

- (1) The parking or standing of motor vehicles.
- (2) Motor vehicles that are not in motion.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.15.

IC 9-13-2-113

"Nonresident"

Sec. 113. (a) "Nonresident" means, except as provided in subsection (b), a person who is not a resident of Indiana.

(b) "Nonresident", for purposes of IC 9-18-2, means a person with a legal residence in another jurisdiction who:

- (1) engages in transporting migrant agricultural workers in connection with seasonal agricultural activities;
- (2) operates a motor vehicle in connection with a seasonal activity that requires moving from place to place entertainment devices or carnival facilities for fairs, local commercial promotions, festivals, or similar activities; or
- (3) temporarily resides or sojourns in Indiana for sixty (60) days or less in any one (1) year.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-114

"Odometer"

Sec. 114. "Odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation. The term does not include an auxiliary odometer designed to be reset by the operator of the motor vehicle for the purpose of recording mileage on trips.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-114.5

"Offer to sell"

Sec. 114.5. "Offer to sell" means any attempt or offer to dispose of, or solicitation of an offer to purchase, a motor vehicle or interest in a motor vehicle for hire.

As added by P.L.92-2013, SEC.26.

IC 9-13-2-115

"Office"

Sec. 115. "Office", for purposes of IC 9-27-2, has the meaning set forth in IC 9-27-2-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-116**"Officer"**

Sec. 116. "Officer", for purposes of IC 9-22-1 and IC 9-22-2, has the meaning set forth in IC 9-22-1-2.

As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.3.

IC 9-13-2-117**"Official traffic control devices"**

Sec. 117. "Official traffic control devices" means a sign, signal, marking, and device, including a railroad advance warning sign, not inconsistent with this title placed or erected by authority of a public body or an official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-117.3**"Off-road vehicle"**

Sec. 117.3. "Off-road vehicle" has the meaning set forth in IC 14-8-2-185.

As added by P.L.219-2005, SEC.2. Amended by P.L.1-2007, SEC.81.

IC 9-13-2-117.5**"Operate"**

Sec. 117.5. (a) "Operate", except as provided in subsections (b) and (c), means to navigate or otherwise be in actual physical control of a vehicle.

(b) "Operate", for purposes of IC 9-31, means to navigate or otherwise be in actual physical control of a motorboat.

(c) "Operate" for purposes of IC 9-18-2.5, means to:

(1) ride in or on; and

(2) be in actual physical control of the operation of;
an off-road vehicle or snowmobile.

As added by P.L.71-1991, SEC.6. Amended by P.L.125-2012, SEC.16; P.L.85-2013, SEC.16; P.L.259-2013, SEC.4.

IC 9-13-2-117.7**"Operating crew member"**

Sec. 117.7. "Operating crew member", for purposes of IC 9-19-6, has the meaning set forth in IC 9-19-6-1.5.

As added by P.L.183-2005, SEC.2.

IC 9-13-2-118**"Operator"**

Sec. 118. (a) Except as provided in subsections (b) and (c), "operator", when used in reference to a vehicle, means a person, other than a chauffeur or a public passenger chauffeur, who:

(1) drives or operates a vehicle upon a highway; or

(2) is exercising control over or steering a motor vehicle being towed by another vehicle.

(b) "Operator", for purposes of IC 9-25, means a person other than

a chauffeur who is in actual physical control of a motor vehicle.

(c) "Operator", for purposes of IC 9-18-2.5, means an individual who:

- (1) operates; or
- (2) is in actual physical control of;
an off-road vehicle or snowmobile.

*As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.17;
P.L.85-2013, SEC.17; P.L.259-2013, SEC.5.*

IC 9-13-2-119

"Operator of a special tractor mobile home rig"

Sec. 119. "Operator of a special tractor mobile home rig" means:

- (1) a person employed by a mobile home or sectionalized building manufacturer, dealer, transport company, or individual owner for the purpose of driving a vehicle transporting a mobile home or sectionalized building (as defined in section 163(b) of this chapter) on any public road or street; or
- (2) an individual moving the individual's own mobile home or sectionalized building on the highways.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-120

"Other bus"

Sec. 120. "Other bus", for purposes of IC 9-29-5-10, has the meaning set forth in that section.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-120.5

"Out-of-service order"

Sec. 120.5. "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service under:

- (1) 49 CFR Parts 386.72, 392.5, 395.13, 396.9;
- (2) Indiana law; or
- (3) the North American Uniform Out-of-Service Criteria.

As added by P.L.88-1996, SEC.1.

IC 9-13-2-120.7

"Overweight divisible load"

Sec. 120.7. (a) "Overweight divisible load" means a tractor-semitrailer and load that:

- (1) can be traditionally separated or reduced to meet the specified regulatory limits for weight;
- (2) are involved in hauling, delivering, or otherwise carrying metal or agricultural commodities;
- (3) meet other requirements for height, length, and width;
- (4) weigh more than the eighty thousand (80,000) pound gross vehicle weight limit in IC 9-20-5 but weigh not more than:
 - (A) one hundred twenty thousand (120,000) pounds if

- hauling metal commodities; and
- (B) ninety-seven thousand (97,000) pounds if hauling agricultural commodities; and
- (5) have the following configurations:
 - (A) A maximum wheel weight, unladen or with load, not to exceed eight hundred (800) pounds per inch of tire, measured between the flanges of the rim.
 - (B) A single axle weight not to exceed twenty thousand (20,000) pounds.
 - (C) An axle in an axle combination not to exceed twenty thousand (20,000) pounds per axle, with the exception of one (1) tandem group that may weigh twenty-four thousand (24,000) pounds per axle or a total of forty-eight thousand (48,000) pounds.

(b) Subsection (a)(5) and this subsection expire on the earlier of the following dates:

- (1) The date rules are adopted as required under IC 9-29-6-13.
- (2) December 31, 2013.

As added by P.L.135-2013, SEC.3.

IC 9-13-2-121

"Owner"

Sec. 121. (a) Except as otherwise provided in this section, "owner", when used in reference to a motor vehicle, means:

- (1) a person who holds the legal title of a motor vehicle; or
- (2) if a motor vehicle is the subject of an agreement for the conditional sale or lease vested in the conditional vendee or lessee, or in the event the mortgagor, with the right of purchase upon the performance of the conditions stated in the agreement and with an immediate right of possession of a vehicle is entitled to possession, the conditional vendee or lessee or mortgagor.

(b) "Owner", for purposes of IC 9-21 and IC 9-25, means, when used in reference to a motor vehicle, a person who holds the legal title of a motor vehicle, or if a:

- (1) motor vehicle is the subject of an agreement for the conditional sale or lease of the motor vehicle with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee; or
- (2) mortgagor of a motor vehicle is entitled to possession;

the conditional vendee or lessee or mortgagor is considered to be the owner for the purpose of IC 9-21 and IC 9-25.

(c) "Owner", for purposes of IC 9-22-1, means the last known record titleholder of a vehicle according to the records of the bureau under IC 9-17.

(d) "Owner", for purposes of IC 9-31, means a person, other than a lienholder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person reserved or created by

agreement and securing payment or performance of an obligation. The term excludes a lessee under a lease not intended as security.

(e) "Owner", for purposes of IC 9-18-2.5, means a person, other than a lienholder, who:

(1) has the property in or title to; and

(2) is entitled to the use or possession of;

an off-road vehicle or snowmobile.

As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.7; P.L.125-2012, SEC.18; P.L.259-2013, SEC.6.

IC 9-13-2-122

"Parts"

Sec. 122. "Parts" refers to all components of a vehicle that as assembled do not constitute a complete vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-123

"Passenger motor vehicle"

Sec. 123. "Passenger motor vehicle" means a motor vehicle designed for carrying passengers. The term includes a low speed vehicle but does not include:

(1) a motorcycle;

(2) a bus;

(3) a school bus;

(4) a snowmobile; or

(5) an off-road vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.21-2003, SEC.3; P.L.219-2005, SEC.3; P.L.214-2007, SEC.5; P.L.259-2013, SEC.7.

IC 9-13-2-123.3

"Pedestrian hybrid beacon"

Sec. 123.3. "Pedestrian hybrid beacon" for purposes of IC 9-21-3, has the meaning set forth in IC 9-21-3-0.5.

As added by P.L.43-2011, SEC.1.

IC 9-13-2-123.5

"Permit"

Sec. 123.5. "Permit" means a permit issued by the state authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions.

As added by P.L.184-2007, SEC.9. Amended by P.L.125-2012, SEC.19.

IC 9-13-2-124

"Person"

Sec. 124. (a) "Person" means, except as otherwise provided in this section, an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, or a corporation.

(b) "Person", for purposes of IC 9-14-3.5, does not include the state or an agency of the state.

(c) "Person", for purposes of IC 9-20-14, IC 9-20-15, and IC 9-20-18-13(b), means a mobile home or sectionalized building transport company, mobile home or sectionalized building manufacturer, mobile home or sectionalized building dealer, or mobile home or sectionalized building owner.

(d) "Person", for purposes of IC 9-23, means an individual, a corporation, a limited liability company, an association, a partnership, a trust, or other entity. The term does not include the state, an agency of the state, or a municipal corporation.

As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.3; P.L.8-1993, SEC.169; P.L.89-1996, SEC.1.

IC 9-13-2-124.5

"Personal information"

Sec. 124.5. "Personal information", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-5.

As added by P.L.2-1997, SEC.27.

IC 9-13-2-125

"Personalized license plate"

Sec. 125. "Personalized license plate" means a license plate that displays the registration number assigned to the vehicle and issued in a combination of letters or numbers, or both, requested by the owner or the lessee of the vehicle and approved by the bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.13.

IC 9-13-2-126

"Pole trailer"

Sec. 126. "Pole trailer" means a vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members that are capable, generally, of sustaining themselves as beams between the supporting connections.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-127 Version a

"Police officer"

Note: This version of section effective until 7-1-2013. See also following version of this section, effective 7-1-2013.

Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following:

- (1) A regular member of the state police department.
- (2) A regular member of a city or town police department.
- (3) A town marshal or town marshal deputy.
- (4) A regular member of a county sheriff's department.
- (5) A conservation officer of the department of natural

resources.

(6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).

(7) An excise police officer of the alcohol and tobacco commission.

(8) A gaming control officer employed by the gaming control division under IC 4-33-20.

(b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.2; P.L.210-2005, SEC.10; P.L.94-2006, SEC.3; P.L.13-2013, SEC.34.

IC 9-13-2-127 Version b

"Police officer"

Note: This version of section effective 7-1-2013. See also preceding version of this section, effective until 7-1-2013.

Sec. 127. (a) "Police officer" means, except as provided in subsections (b) and (c), the following:

- (1) A regular member of the state police department.
- (2) A regular member of a city or town police department.
- (3) A town marshal or town marshal deputy.
- (4) A regular member of a county sheriff's department.
- (5) A conservation officer of the department of natural resources.
- (6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).
- (7) An excise police officer of the alcohol and tobacco commission.
- (8) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a police officer having jurisdiction in Indiana, unless the context clearly refers to a police officer from another state or a territory or federal district of the United States.

(b) "Police officer", for purposes of IC 9-18-2.5, means the following:

- (1) A regular member of the state police department.
- (2) A regular member of a city or town police department.
- (3) A town marshal or town marshal deputy.
- (4) A regular member of a county sheriff's department.
- (5) A conservation officer of the department of natural resources.

(c) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.2; P.L.210-2005, SEC.10; P.L.94-2006, SEC.3; P.L.13-2013, SEC.34; P.L.259-2013, SEC.8; P.L.262-2013, SEC.14.

IC 9-13-2-128

"Political subdivision"

Sec. 128. "Political subdivision" means a county, a township, a city, a town, a public school corporation, or any other subdivision of the state recognized in any law, including any special taxing district or entity and any public improvement district authority or entity authorized to levy taxes or assessments.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-128.3**"Pop-up camper trailer"**

Sec. 128.3. "Pop-up camper trailer" means a recreation camping unit designed for temporary living quarters that is:

- (1) mounted on wheels; and
- (2) constructed with collapsible sidewalls that fold or sidewalls that telescope;

for towing by a motor vehicle.

As added by P.L.93-1997, SEC.2.

IC 9-13-2-129**"Preceding year"**

Sec. 129. "Preceding year", for purposes of IC 9-18-11, has the meaning set forth in IC 9-18-11-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-130**"Previous conviction of operating while intoxicated"**

Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction:

- (1) in Indiana of:
 - (A) an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); or
 - (B) a crime under IC 9-30-5-1 through IC 9-30-5-9; or
- (2) in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 9-30-5-1 through IC 9-30-5-9.

As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.36.

IC 9-13-2-131**"Prima facie evidence of intoxication"**

Sec. 131. "Prima facie evidence of intoxication" includes evidence that at the time of an alleged violation the person had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

- (1) one hundred (100) milliliters of the person's blood; or
- (2) two hundred ten (210) liters of the person's breath.

As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.3; P.L.1-2000, SEC.3; P.L.175-2001, SEC.2.

IC 9-13-2-132**"Prisoner of war"**

Sec. 132. "Prisoner of war" means a person who, while serving on active military service in the land, air, or naval forces of the United States, was in the power of a hostile government, was imprisoned by the military or naval forces of a foreign nation during the United States' military involvement in World War I, World War II, the Korean Police Action, or the Vietnam Conflict and who is either presently a member of the armed forces or has received an honorable discharge.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-133**"Private bus"**

Sec. 133. (a) "Private bus" means a motor vehicle designed and constructed for the accommodation of passengers and that is used for transportation of passengers by any of the following:

- (1) A religious, fraternal, charitable, or benevolent organization.
- (2) A youth association.
- (3) A public or private postsecondary educational institution.

(b) The term includes either the chassis or the body of the vehicle or both the body and the chassis of the vehicle.

(c) The term does not include the following:

- (1) A vehicle with a seating capacity of not more than fifteen (15) persons.
- (2) A school bus or a bus used to carry passengers for hire.

As added by P.L.2-1991, SEC.1. Amended by P.L.2-2007, SEC.140.

IC 9-13-2-134**"Private business property or shopping center"**

Sec. 134. "Private business property" or "shopping center", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-135**"Private driveway"**

Sec. 135. "Private driveway" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-136**"Private property"**

Sec. 136. "Private property" means all property other than public property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-137**"Private road"**

Sec. 137. "Private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-138

"Procurement"

Sec. 138. "Procurement", for purposes of IC 9-16-2, has the meaning set forth in IC 9-16-2-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-138.5

"Proof of discharge"

Sec. 138.5. "Proof of discharge" means a document that:

- (1) is issued by the United States Department of Defense; and
- (2) confirms a veteran's discharge from the armed forces of the United States.

The term includes a DD-214 form.

As added by P.L.118-2011, SEC.2.

IC 9-13-2-139

"Proof of financial responsibility"

Sec. 139. "Proof of financial responsibility", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-140

"Protocol"

Sec. 140. "Protocol" means a procedure for the withdrawal of blood and other bodily substance samples.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-141

"Public agency"

Sec. 141. "Public agency", for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-142

"Public highway"

Sec. 142. "Public highway", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-4.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-143

"Public passenger chauffeur"

Sec. 143. "Public passenger chauffeur" means a person who operates a motor vehicle designed to transport not more than fifteen (15) individuals, including the driver, while in use as a public

passenger carrying vehicle for hire. The term does not include a person who operates a medical services vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.20; P.L.85-2013, SEC.18.

IC 9-13-2-144

"Public property"

Sec. 144. "Public property" means a public right-of-way, street, highway, alley, park, or other state, county, or municipal property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-144.5

"Pull service charge"

Sec. 144.5. "Pull service charge", for purposes of IC 9-29-3-19, has the meaning set forth in IC 9-29-3-19.

As added by P.L.216-2003, SEC.2.

IC 9-13-2-145

"Qualified person"

Sec. 145. "Qualified person", for purposes of IC 9-16-1, has the meaning set forth in IC 9-16-1-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-146

"Railroad"

Sec. 146. "Railroad" does not include street car.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-146.5

"Railroad flagman"

Sec. 146.5. "Railroad flagman", for purposes of IC 9-21-8-41.7, has the meaning set forth in IC 9-21-8-41.7(a).

As added by P.L.8-2010, SEC.1.

IC 9-13-2-147

"Railroad sign or signal"

Sec. 147. "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-148

Repealed

(Repealed by P.L.125-2012, SEC.21.)

IC 9-13-2-149

"Rebuilt vehicle"

Sec. 149. "Rebuilt vehicle" means a vehicle:

- (1) that has been restored to an operable condition; and

(2) for which a certificate of title has been issued:

(A) by the bureau under IC 9-22-3; or

(B) by another state or jurisdiction under a similar procedure for the retitling of restored salvage motor vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.15.

IC 9-13-2-149.5

"Record"

Sec. 149.5. (a) "Record", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-6.

(b) "Record", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-19.

As added by P.L.2-1997, SEC.28. Amended by P.L.92-2013, SEC.27.

IC 9-13-2-150

"Recreational vehicle"

Sec. 150. (a) "Recreational vehicle" means a vehicle with or without motive power equipped exclusively for living quarters for persons traveling upon the highways.

(b) "Recreational vehicle", for purposes of IC 9-18-2-8, does not include a mobile structure (as defined in IC 22-12-1-17).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-150.5

"Registered importer"

Sec. 150.5. "Registered importer" has the meaning set forth in IC 9-17-2-0.5.

As added by P.L.107-2008, SEC.8; P.L.131-2008, SEC.35.

IC 9-13-2-151

"Relevant evidence of intoxication"

Sec. 151. "Relevant evidence of intoxication" includes evidence that at the time of an alleged violation a person had an alcohol concentration equivalent to at least five-hundredths (0.05) gram, but less than eight-hundredths (0.08) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath.

As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.4; P.L.1-2000, SEC.4; P.L.175-2001, SEC.3.

IC 9-13-2-151.5

"Relevant market area"

Sec. 151.5. "Relevant market area", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-20.

As added by P.L.118-2001, SEC.1. Amended by P.L.37-2009, SEC.1; P.L.92-2013, SEC.28.

IC 9-13-2-151.7

"Rental company"

Sec. 151.7. "Rental company" has the meaning set forth in

IC 24-4-9-7.

As added by P.L.268-2003, SEC.4.

IC 9-13-2-152

"Repair or replacement"

Sec. 152. "Repair or replacement" means the restoration of an odometer to a sound working condition by replacing the odometer or any part of the odometer or by correcting what is inoperative.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-152.5

"Reproduction"

Sec. 152.5. "Reproduction" means the following:

(1) With respect to a license plate issued under IC 9-18, an object that:

(A) is made of metal, plastic, or a similarly rigid and durable material;

(B) is the same or nearly the same size as the license plate; and

(C) has the same colors, details, and arrangement as the license plate, except for the registration numbers and letters at the center of the license plate.

(2) With respect to a driver's license issued under IC 9-24, a copy of a driver's license issued to a particular individual made by a photographic process.

As added by P.L.115-1993, SEC.1.

IC 9-13-2-153

"Residence district"

Sec. 153. "Residence district" means the territory contiguous to and including a highway not comprising a business district, when the property on the highway for a distance of at least five hundred (500) feet is primarily improved with residences or residences and buildings in use for business.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-154

"Restricted license"

Sec. 154. "Restricted license" means any current driving license, on which the commission has designated restrictions.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-154.5

"Retail lessee"

Sec. 154.5. "Retail lessee", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-21.

As added by P.L.86-1996, SEC.6. Amended by P.L.92-2013, SEC.29.

IC 9-13-2-154.6

"Retail lessor"

Sec. 154.6. "Retail lessor", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-22.

As added by P.L.86-1996, SEC.7. Amended by P.L.92-2013, SEC.30.

IC 9-13-2-154.8

"Retractable tire studs"

Sec. 154.8. "Retractable tire studs", for purposes of IC 9-19-18, means tire studs that:

- (1) are capable of being retracted; and
- (2) otherwise satisfy the requirements of IC 9-19-18-3(d).

As added by P.L.35-2008, SEC.1.

IC 9-13-2-155

"Right-of-way"

Sec. 155. "Right-of-way" means the privilege of the immediate use of a highway.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-156

"Road tractor"

Sec. 156. "Road tractor" means a vehicle designed and used for drawing other vehicles and not constructed to carry any load independently or any part of the weight of a vehicle or load drawn independently.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-157

"Roadway"

Sec. 157. (a) Except as provided in subsection (b), "roadway" means that part of a highway improved, designed, or ordinarily used for vehicular travel.

(b) As used in IC 9-21-12-13, "roadway" means the part of a highway that is improved, designed, or ordinarily used for vehicular travel. The term does not include the sidewalk, berm, or shoulder, even if the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.42-2011, SEC.22.

IC 9-13-2-158

"Safety glazing materials"

Sec. 158. "Safety glazing materials", for purposes of IC 9-19-19, has the meaning set forth in IC 9-19-19-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-159

"Safety zone"

Sec. 159. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by adequate signs as to be plainly visible at all times.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-159.5

"Sale"

Sec. 159.5. "Sale", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-23.

As added by P.L.92-2013, SEC.31.

IC 9-13-2-160

"Salvage motor vehicle"

Sec. 160. "Salvage motor vehicle" means any of the following:

- (1) A motor vehicle, motorcycle, semitrailer, or recreational vehicle that meets at least one (1) of the criteria set forth in IC 9-22-3-3.
- (2) A vehicle, ownership of which is evidenced by a salvage title or by another ownership document of similar qualification and limitation issued by a state or jurisdiction other than the state of Indiana, and recognized by and acceptable to the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-161

"School bus"

Sec. 161. (a) "School bus" means, except as provided in subsections (b) and (c), a:

- (1) bus;
- (2) hack;
- (3) conveyance;
- (4) commercial motor vehicle; or
- (5) motor vehicle;

used to transport preschool, elementary, or secondary school children to and from school and to and from school athletic games or contests or other school functions. The term does not include a privately owned automobile with a capacity of not more than five (5) passengers that is used for the purpose of transporting school children to and from school.

(b) "School bus", for purposes of IC 9-21, means a motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, including project headstart, or privately owned and operated for compensation for the transportation of children to and from school, including project headstart.

(c) "School bus", for purposes of IC 9-19-11-1(1), means a motor vehicle:

- (1) that meets the federal school bus safety requirements under 49 U.S.C. 30125; or
- (2) that meets the federal school bus safety requirements under 49 U.S.C. 30125 except the:
 - (A) stop signal arm required under federal motor vehicle safety standard (FMVSS) no. 131; and

(B) flashing lamps required under federal motor vehicle safety standard (FMVSS) no. 108.

As added by P.L.2-1991, SEC.1. Amended by P.L.54-1998, SEC.1; P.L.219-2003, SEC.2; P.L.146-2009, SEC.2.

IC 9-13-2-161.3

"School crossing guard"

Sec. 161.3. "School crossing guard" means a person at least eighteen (18) years of age appointed by one (1) of the following:

- (1) Safety board.
- (2) Board of public works and safety.
- (3) Town board.
- (4) Board of public safety.
- (5) Sheriff.

As added by P.L.116-1993, SEC.1.

IC 9-13-2-161.5

"School crossing zone"

Sec. 161.5. "School crossing zone" means a part of a roadway distinctly indicated for crossing by children on the way to or from school by lines or other markings on the surface of the roadway or by signs.

As added by P.L.116-1993, SEC.2.

IC 9-13-2-162

"Scrap metal processor"

Sec. 162. "Scrap metal processor" means a private, commercial, or governmental enterprise that engages in the acquisition of motor vehicles, motorcycles, semitrailers, or recreational vehicles or the remains of these vehicles and that has facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron, scrap steel, or nonferrous scrap for sale for remelting purposes.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.32.

IC 9-13-2-162.5

"Secretary"

Sec. 162.5. "Secretary", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-24.

As added by P.L.92-2013, SEC.33.

IC 9-13-2-163

"Sectionalized building"

Sec. 163. (a) "Sectionalized building" means, except as provided in subsection (b), any part of a finished structure.

(b) "Sectionalized building", for purposes of IC 9-20-15, means any part of a finished structure that has living quarters suitable for human use and that can be identified by a manufacturer's number sequence.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-164**"Semitrailer"**

Sec. 164. (a) "Semitrailer", except as provided in subsection (b), means a vehicle without motive power, designed for carrying property and for being drawn by a motor vehicle, and so constructed that some part of the weight of the semitrailer and that of the semitrailer's load rests upon or is carried by another vehicle. The term does not include the following:

- (1) A pole trailer.
- (2) A two (2) wheeled homemade trailer.
- (3) A semitrailer used exclusively for carrying passengers as used in section 17(a) of this chapter.

(b) "Semitrailer", for purposes of IC 9-21, means a vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. The term does not include a pole trailer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-165**"Serious bodily injury"**

Sec. 165. "Serious bodily injury" has the meaning set forth in IC 35-31.5-2-292.

As added by P.L.2-1991, SEC.1. Amended by P.L.114-2012, SEC.20.

IC 9-13-2-166**"Shopping center or private business property"**

Sec. 166. "Shopping center" or "private business property", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-167**"Sidewalk"**

Sec. 167. "Sidewalk" means the part of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-167.5**"Snowmobile"**

Sec. 167.5. "Snowmobile" has the meaning set forth in IC 14-8-2-261.

As added by P.L.259-2013, SEC.9.

IC 9-13-2-168**"Solid tire"**

Sec. 168. "Solid tire" means a tire of rubber or other resilient material that does not depend upon compressed air for the support of the load.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-169

Repealed

(Repealed by P.L.210-2005, SEC.76.)

IC 9-13-2-170

"Special group"

Sec. 170. "Special group" means:

- (1) a class or group of persons that the bureau finds:
 - (A) have made significant contributions to the United States, Indiana, or the group's community or are descendants of native or pioneer residents of Indiana;
 - (B) are organized as a nonprofit organization (as defined under Section 501(c) of the Internal Revenue Code);
 - (C) are organized for nonrecreational purposes; and
 - (D) are organized as a separate, unique organization or as a coalition of separate, unique organizations; or
- (2) a National Football League franchised professional football team.

As added by P.L.2-1991, SEC.1. Amended by P.L.261-2001, SEC.1; P.L.214-2005, SEC.54.

IC 9-13-2-170.1

"Special identification number"

Sec. 170.1. "Special identification number", for purposes of IC 9-17-4, has the meaning set forth in IC 9-17-4-0.5.

As added by P.L.125-2012, SEC.22.

IC 9-13-2-170.3

"Special machinery"

Sec. 170.3. (a) "Special machinery" includes but is not limited to any of the following:

- (1) A portable saw mill.
- (2) Well drilling machinery.
- (3) A utility service cable trailer.
- (4) Any other vehicle that is designed to perform a specific function.

(b) The term does not include the following:

- (1) A vehicle that is designed to carry passengers.
- (2) Implements of agriculture designed to be operated primarily in a farm field or on farm premises.
- (3) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, a county, or a municipality.

As added by P.L.210-2005, SEC.11. Amended by P.L.125-2012, SEC.23; P.L.262-2013, SEC.16.

IC 9-13-2-170.5

"Special numbered motor vehicle registration plate"

Sec. 170.5. "Special numbered motor vehicle registration plate", for purposes of IC 9-29-3-19, has the meaning set forth in

IC 9-29-3-19.

As added by P.L.216-2003, SEC.3.

IC 9-13-2-170.7

"Special purpose bus"

Sec. 170.7. "Special purpose bus" has the meaning set forth in IC 20-27-2-10.

As added by P.L.107-2006, SEC.1.

IC 9-13-2-171

"Special tractor-mobile home rig"

Sec. 171. "Special tractor-mobile home rig" means any combination of a mobile home or sectionalized building and a towing vehicle having a width greater than one hundred forty-eight (148) inches and not greater than one hundred seventy-two (172) inches at the base and:

(1) of which the mobile home, including the hitch, is not more than eighty-five (85) feet and the tractor part is not less than twelve (12) feet in length;

(2) a height not in excess of fourteen (14) feet, six (6) inches; or

(3) both of the dimensions in subdivisions (1) and (2).

As added by P.L.2-1991, SEC.1. Amended by P.L.61-1996, SEC.12; P.L.217-2003, SEC.1.

IC 9-13-2-172

"Speed contest"

Sec. 172. "Speed contest" means an unnecessary rapid acceleration by two (2) or more vehicles that creates a hazard to pedestrians, passengers, vehicles, or other property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-173

"State"

Sec. 173. (a) "State" means, except as otherwise provided by this section and unless by the context some other state or territory or federal district of the United States is meant or intended, the state of Indiana.

(b) "State", for purposes of IC 9-27-1, means the state of Indiana, the governor of Indiana, an agency of the state of Indiana designated by the governor to receive federal aid, and any officer, board, bureau, commission, division, or department, any public body corporate and politic created by the state of Indiana for public purposes, or any state educational institution.

(c) "State", for purposes of IC 9-25, means any state in the United States, the District of Columbia, or any Province of the Dominion of Canada.

(d) "State", for purposes of section 120.5 of this chapter and IC 9-24-6, means any state in the United States or the District of Columbia.

As added by P.L.2-1991, SEC.1. Amended by P.L.88-1996, SEC.2; P.L.2-2007, SEC.141; P.L.9-2010, SEC.9.

IC 9-13-2-174

"Stinger-steered vehicle"

Sec. 174. "Stinger-steered vehicle" means an automobile or a boat transporter configured as a semitrailer combination in which the fifth wheel is located as a drop frame located behind and below the rearmost axle of the power unit.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-174.5

"Storage yard"

Sec. 174.5. "Storage yard" for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3.5.

As added by P.L.104-2005, SEC.1.

IC 9-13-2-175

"Street or highway"

Sec. 175. "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-176

"Street car"

Sec. 176. "Street car" means a car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-177

"Tandem axle group"

Sec. 177. "Tandem axle group" means two (2) or more axles spaced more than forty (40) inches and less than ninety-six (96) inches. For the purpose of enforcing the single axle weight limitation, the third axle of a tri-axle group of a truck shall be treated as if it were a single axle if it is independently suspended.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-177.3

"Telecommunications device"

Sec. 177.3. (a) "Telecommunications device", for purposes of IC 9-21-8, IC 9-25-4-7, and IC 9-24-11-3.3, means an electronic or digital telecommunications device. The term includes a:

- (1) wireless telephone;
- (2) personal digital assistant;
- (3) pager; or
- (4) text messaging device.

(b) The term does not include:

(1) amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or

(2) a communications system installed in a commercial motor vehicle weighing more than ten thousand (10,000) pounds.

As added by P.L.101-2009, SEC.2. Amended by P.L.185-2011, SEC.1; P.L.59-2013, SEC.1.

IC 9-13-2-177.4

"Text message"

Sec. 177.4. "Text message", for purposes of IC 9-21-8, has the meaning set forth in IC 9-21-8-0.5.

As added by P.L.185-2011, SEC.2.

IC 9-13-2-177.5

"Third party"

Sec. 177.5. "Third party", for purposes of IC 9-17-3, has the meaning set forth in IC 9-17-3-0.5.

As added by P.L.268-2003, SEC.5.

IC 9-13-2-178

"Through highway"

Sec. 178. "Through highway" means a highway or portion of a highway at the entrance to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-179

"Towing service"

Sec. 179. "Towing service" means a person that engages in moving or removing abandoned or disabled vehicles and, once the vehicles are moved or removed, stores or impounds the vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.191-2007, SEC.2.

IC 9-13-2-180

"Tractor"

Sec. 180. "Tractor" means a motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind. The term does not include a farm tractor.

As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.12.

IC 9-13-2-181

"Tractor-mobile home rig"

Sec. 181. "Tractor-mobile home rig" means a combination of a mobile home or sectionalized building and a towing vehicle having either a combined overall length of more than sixty (60) feet and not more than one hundred ten (110) feet of which:

(1) the mobile home, including the hitch, is not more than

eighty-five (85) feet; and

(2) the tractor part:

(A) is not less than twelve (12) feet in length;

(B) has a width of more than ninety-six (96) inches and not more than one hundred forty-eight (148) inches at the base;

(C) has a height of not more than fourteen (14) feet; or

(D) has at least two (2) of the dimensions in clauses (A) through (C).

As added by P.L.2-1991, SEC.1. Amended by P.L.217-2003, SEC.2.

IC 9-13-2-182

"Traffic"

Sec. 182. "Traffic" means pedestrians, ridden or herded animals, street cars, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-183

"Traffic offense"

Sec. 183. "Traffic offense" means:

(1) a violation of a statute, an ordinance, a rule, or a regulation relating to the operation or use of motor vehicles; and

(2) any violation of a statute, an ordinance, a rule, or a regulation relating to the use of streets and highways by pedestrians or by the operation of any other vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.19.

IC 9-13-2-184

"Trailer"

Sec. 184. (a) "Trailer" means, except as otherwise provided in this section, a vehicle:

(1) without motive power;

(2) designed for carrying persons or property;

(3) designed for being drawn by a motor vehicle; and

(4) so constructed that no part of the weight of the trailer rests upon the towing vehicle.

The term includes pole trailers and two (2) wheeled homemade trailers.

(b) "Trailer", for purposes of IC 9-21, means a vehicle:

(1) with or without motive power;

(2) designed for carrying persons or property;

(3) designed for being drawn by a motor vehicle; and

(4) so constructed that no part of the weight of the trailer rests upon the towing vehicle.

The term does not include pole trailers or special machinery.

(c) "Trailer", for purposes of IC 9-21-8-12 through IC 9-21-8-13, means the combination of any motor vehicle towing another vehicle or trailer.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.24.

IC 9-13-2-185**"Transfer dealer"**

Sec. 185. "Transfer dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-25.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.6; P.L.92-2013, SEC.34.

IC 9-13-2-186**"Transit school bus"**

Sec. 186. "Transit school bus" means a motor vehicle designed with the engine compartment located inside and underneath the passenger compartment.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-187**"Transport operator"**

Sec. 187. "Transport operator" means any of the following:

- (1) A person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one (1) place to another by the drive away or tow away methods.
- (2) A dealer or manufacturer engaged in the operation or business described in subdivision (1).
- (3) A business that prepares newly purchased vehicles of the business and delivers the vehicles to the locations where the vehicles will be based, titled, and registered.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.25; P.L.262-2013, SEC.17.

IC 9-13-2-187.5**"Trip"**

Sec. 187.5. (a) "Trip", for purposes of IC 9-29-6-1, means the movement of a vehicle or combination of vehicles having a total gross weight greater than eighty thousand (80,000) pounds but less than one hundred thirty-four thousand (134,000) pounds within a twenty-four (24) hour period.

(b) This section expires on the date IC 9-29-6-1 expires.

As added by P.L.147-2002, SEC.1. Amended by P.L.135-2013, SEC.4.

IC 9-13-2-188**"Truck"**

Sec. 188. (a) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

(b) "Truck", for purposes of IC 9-21-8-3, includes the following:

- (1) A motor vehicle designed and used primarily for drawing another vehicle and constructed to carry a load other than a part of the weight of the vehicle and load drawn.
- (2) A motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other

implements of agriculture.
As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.13.

IC 9-13-2-188.5

"Truck driver training school"

Sec. 188.5. "Truck driver training school" means a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9), a state educational institution, or a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12) that:

- (1) is located in Indiana;
 - (2) is subject to rules adopted by the bureau under IC 9-24-6-5.5; and
 - (3) either:
 - (A) educates or trains a person; or
 - (B) prepares a person for an examination or a validation given by the bureau;
- to operate a truck as a vocation.

As added by P.L.188-2006, SEC.3. Amended by P.L.2-2007, SEC.142; P.L.145-2011, SEC.8; P.L.107-2012, SEC.1; P.L.125-2012, SEC.26.

IC 9-13-2-189

"Truck-tractor"

Sec. 189. (a) "Truck-tractor" means, except as provided in subsection (b), a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load so drawn.

(b) "Truck-tractor", for purposes of IC 9-20-13-2, means a noncargo carrying power unit designed to operate in combination with a semitrailer or trailer and includes a dromedary deck and plate.
As added by P.L.2-1991, SEC.1. Amended by P.L.91-1991, SEC.2.

IC 9-13-2-190

"Truck-tractor-semitrailer-semitrailer"

Sec. 190. "Truck-tractor-semitrailer-semitrailer" refers to a combination of vehicles containing two (2) trailing units connected with a B-train assembly.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-191

"Ultimate purchaser"

Sec. 191. "Ultimate purchaser" means the first person, other than a dealer purchasing in the dealer's capacity as a dealer, who in good faith purchases a motor vehicle for purposes other than resale.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-191.5

"Uniform time standards manual"

Sec. 191.5. "Uniform time standards manual", for purposes of

IC 9-32, has the meaning set forth in IC 9-32-2-26.
As added by P.L.78-2002, SEC.4. Amended by P.L.92-2013, SEC.35.

IC 9-13-2-192

"Unit"

Sec. 192. "Unit", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-193

"Urban district"

Sec. 193. "Urban district" means the territory contiguous to and including any street that is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than two hundred (200) feet for a distance of at least one-fourth (1/4) mile.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-194

"Used major component part"

Sec. 194. "Used major component part" does not include a remanufactured part.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-195

"Used parts dealer"

Sec. 195. "Used parts dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-27.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.36.

IC 9-13-2-196

"Vehicle"

Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
- (4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.
- (5) A municipally owned ambulance.
- (6) A police patrol wagon.
- (7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:
 - (A) Road construction or maintenance machinery.
 - (B) A movable device designed, used, or maintained to alert

motorists of hazardous conditions on highways.

(C) Construction dust control machinery.

(D) Well boring apparatus.

(E) Ditch digging apparatus.

(F) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.

(G) An invalid chair.

(H) A yard tractor.

(8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, a trailer or semitrailer used in the transportation of watercraft, or a motorized bicycle.

(e) For purposes of IC 9-24-6, the term has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

(f) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

As added by P.L.2-1991, SEC.1. Amended by P.L.88-1998, SEC.2; P.L.143-2002, SEC.4; P.L.210-2005, SEC.14; P.L.41-2006, SEC.2; P.L.9-2010, SEC.10.

IC 9-13-2-196.5

"Veteran"

Sec. 196.5. "Veteran", for purposes of IC 9-18-50, has the meaning set forth in IC 9-18-50-1.

As added by P.L.58-2006, SEC.1.

IC 9-13-2-197

"Violation"

Sec. 197. "Violation", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-198

"Wagon"

Sec. 198. Except as provided in section 60(a)(2) of this chapter, "wagon" means a vehicle that is:

(1) without motive power;

(2) designed to be pulled by a motor vehicle;

(3) constructed so that no part of the weight of the wagon rests upon the towing vehicle;

(4) equipped with a flexible tongue; and

(5) capable of being steered by the front two (2) wheels.

As added by P.L.2-1991, SEC.1. Amended by P.L.150-2009, SEC.4.

IC 9-13-2-198.5

"Watercraft"

Sec. 198.5. "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers, except a ferry.

As added by P.L.71-1991, SEC.8.

IC 9-13-2-198.7**"Waters of Indiana"**

Sec. 198.7. (a) "Waters of Indiana" means all waters within the boundaries of Indiana.

(b) The term includes every lake, river, stream, canal, ditch, and body of water owned or controlled by a public utility that is subject to the jurisdiction of the state.

As added by P.L.71-1991, SEC.9.

IC 9-13-2-199**"Wholesale dealer"**

Sec. 199. "Wholesale dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-28.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.37.

IC 9-13-2-200**"Worksite"**

Sec. 200. "Worksite" means a location or area upon which:

- (1) a public purpose construction or maintenance activity; or
- (2) a private purpose construction or maintenance activity that is authorized by a governmental agency;

is being performed on a highway. The term includes the lanes of a highway leading up to the area upon which an activity described in subdivision (1) or (2) is being performed, beginning at the point where appropriate signs directing vehicles to merge from one (1) lane into another lane are posted.

As added by P.L.2-1991, SEC.1. Amended by P.L.75-1999, SEC.1.

IC 9-13-2-201**"Yard tractor"**

Sec. 201. "Yard tractor" refers to a tractor that is used to move semitrailers around a terminal or a loading or spotting facility. The term also refers to a tractor that is operated on a highway with a permit issued under IC 6-6-4.1-13(f) if the tractor is ordinarily used to move semitrailers around a terminal or spotting facility.

As added by P.L.88-1998, SEC.3. Amended by P.L.150-2001, SEC.3; P.L.182-2009(ss), SEC.283.